

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **5215**



Introduced by Congressman Lord Allan Jay Q. Velasco

EXPLANATORY NOTE

Justice Delayed is Justice Denied.

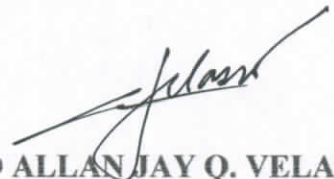
Presently, the Judiciary is under fire for the congested or clogged dockets of the lower courts. The clogged dockets of the courts cause great delay in the disposition of cases. The following are the main causes the congestions:

1. Lack of judges;
2. Heavy inflow of cases in Metro Manila and other cities; and
3. The use of regular judges as assisting or acting judges which has been proven to be unproductive because they do not have sufficient time to devote to the cases in vacant or congested courts since they have their own respective salas to attend to.

The delay in the disposition of cases is precisely what the 1987 Constitution seeks to avoid. Article III, Section 16 of Constitution provides that "All persons shall have the right to a speedy disposition of their cases before all judicial, quasi-judicial, or administrative bodies." Thus it is imperative that new positions for the Judiciary should be created.

The solution, therefore, is the creation of "Judges-at-Large" positions. These Judges shall have no permanent sales and can be detailed by the Supreme Court to any court in the Philippines, as public interest may require.

In view of the foregoing consideration, the approval of this bill is strongly recommended.


LORD ALLAN JAY Q. VELASCO

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**AN ACT AMENDING BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS
“AN ACT REORGANIZING THE JUDICIARY, APPROPRIATING FUNDS THEREFOR,
AND FOR OTHER PURPOSES”**

TO CREATE THE POSITIONS FOR JUDGES-AT-LARGE

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section 14, Chapter II of B.P. Blg. 129 is hereby amended to include section (n), which will be read as follows:

“(n) Fifty (50) positions of Regional Trial Judges-at-Large are created. Said Judges-at-large shall have no permanent salaries and can be detailed by the Supreme Court as Acting or Assisting Judges to any Regional Trial Court in the Philippines, as public interest may require. Said judges-at-large are entitled to the salaries, privileges, allowances, emoluments, benefits, rank and title of a Regional Trial Judge.”

SECTION 2. Section 15, Chapter II of B.P. Blg. 129 is hereby amended to read as follows:

“Section 15. Qualifications – No person shall be appointed Regional Trial Judge or Regional Trial Judge-at-large unless he is natural born citizen of the Philippines, at least thirty-five years of age, and for at least ten years, has been engaged in the practice of law in the Philippines or has held a public office in the Philippines requiring admission to the practice of law as an indispensable requisite.”

SECTION 3. Section 25, Chapter III of B.P. Blg. 129 is hereby amended to read as follows:

“Section 25. Establishment of Metropolitan Trial Courts, Municipal Trial Courts, Municipal Circuit Trial Courts and Municipal Trial Judges-at-Large. – There shall be created a Metropolitan Trial Court in each metropolitan area established by law, a Municipal Trial Court in each of the other cities or municipalities, and a Municipal Circuit Trial Court in each circuit comprising such cities and/or municipalities as are grouped together pursuant to law.

Fifty (50) positions of Municipal Trial Judges-at-Large are created. Said judges-at-large shall have no permanent salas and can be detailed by the Supreme Court as Acting or Assisting Judges to any first level court in the Philippines, as a public interest may require. Said judges-at-large are entitled to the salaries and all privileges, allowance, emoluments, benefits, rank and title of a judge of a Municipal Trial Court in Cities.”

SECTION 4. Section 26, Chapter III of B.P. Blg. 129 is hereby amended to read as follows:

“Section 26. Qualifications. – No person shall be appointed judge of a Metropolitan Trial Court, Municipal Trial Court, or Municipal Circuit Trial Court or a **Municipal Trial Judge-at-Large** unless he is a natural-born citizen of the Philippines, at least thirty years of age, and for at least five years, has been engaged in the practice of law in the Philippines or has held a public office in the Philippines requiring admission to the practice of law as an indispensable requisite.”

SECTION 5. Section 41, Chapter IV of B.P. Blg. 129 is hereby amended to read as follows:

“Section 41. Salaries. – Intermediate Appellate Justices, Regional Trial Judges, **Regional Trial Judges-at-Large**, Metropolitan Trial Judges, Municipal Circuit Trial Judges and **Municipal Trial Judges-at-Large** shall receive such compensation and allowances as may be authorized by the President along the guidelines set forth in Letter of Implementation No. 93 pursuant to Presidential Decree No. 985, as amended by Presidential Decree No. 1597.”

Section 6. Section 42, Chapter IV of B.P. blg. 129, is hereby amended to read as follows:

“Section 42. Longevity pay and Displacement Allowance. – A monthly longevity pay equivalent to 5% of the monthly basic pay shall be paid to the Justices and Judges of the courts herein created for each five years of continuous, efficient, and meritorious service rendered in the judiciary: Provided, That in no case shall the total salary of each Justice or Judge concerned, after this longevity pay is added, exceed the salary of the Justice or Judge next in rank.

Regional Trial Judges-at-Large and Municipal Trial Judges-at-Large shall receive displacement allowances, which shall cover their housing, food, transportation, and other necessary expenses incurred during their detail to courts which are outside their places of residence. The Displacement allowances shall be determined by the Supreme Court upon the recommendation of the Court Administrator and the Plantilla Committee.”

SECTION 7. Repealing Clause. – All laws, rules, regulations, orders, memoranda or circulars inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 8. Effectivity. – This Act shall take effect fifteen (15) days after the publication in the Official Gazette or in any two (2) national newspapers of general circulation.

Approved,